



Z-08-08-007

**City of Greensboro Planning Department
Zoning Staff Report and Plan Amendment Evaluation**

Zoning Commission Hearing Date: August 11, 2008

GENERAL INFORMATION

APPLICANT	Derek Allen for Jason and Tonya Bramblett
HEARING TYPE	Zoning Commission
REQUEST	RS-9 to (Residential- Single Family) to CD-RM-12(Conditional District-Residential Multi Family)
CONDITIONS	1. Uses: A maximum of 72 multi-family units. 2. All buildings on the property shall be limited in height to two above ground stories.
LOCATION	402-404 Penry Road; generally described as the east side of Penry Road and south of Lynn Road
PARCEL ID NUMBER (S)	00-04-0187-B-0464-S -027
PUBLIC NOTIFICATION	The notification area for this public hearing was 600 feet (Chapter 30-9-1.2 of the City Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). 47 notices were mailed to those property owners in the mailing area.
TRACT SIZE	~6.33 acres
TOPOGRAPHY	Sloping towards the east
VEGETATION	Wooded

SITE DATA

Existing Use	Undeveloped	
	Adjacent Zoning	Adjacent Land Uses
N	RS-9 (Residential-Single Family)	Church and single family dwelling unit
E	CD-LI (Conditional District-Light Industrial)	K-Mart Distribution Center
W	RS-9 (Residential-Single Family) and CD-PI (Conditional District Public and Institutional)	Single-Family dwelling units
S	RS-9 (Residential-Single Family)	K-Mart Distribution Center

Zoning History

Case #	Date	Request Summary
3249	07/20/2004	Original RS-9 zoning district was established for this property.

ZONING DISTRICT STANDARDS**District Summary ***

Zoning District Designation:	Existing (RS-9)	Requested (CD-RM-12)
Max. Density:	4 dwelling units per acre	12 dwelling units per acre
Typical Uses	Primarily intended to accommodate high density and single-family detached dwellings in developments where public water and sewer service is required.	Primarily intended to accommodate multifamily uses.

**These regulations may not reflect the actual requirements for all situations; see the City of Greensboro Zoning Code for actual regulations for site requirements for this zoning district.*

SPECIAL INFORMATION**Overlay District Ordinance/Historic Preservation – N/A****Environmental/Soils**

Water Supply Watershed	N/A, site drains to South Buffalo Creek
Floodplains	N/A
Streams	N/A
Other:	N/A

Utilities

Potable Water
Waste Water

Airport Noise Cone

The subject property is not located in the Airport Noise Cone.

Landscaping Requirements

Location	Required Planting Yard Type and Rate
North	Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'
South	Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'
East	Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'
West	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'

Tree Preservation Requirements

Acreage	Requirements
6.33 Ac.	All trees 4" or greater DBH which are located within the required planting yards or within 15' of the side and rear property lines, whichever is greater

Transportation

Street Classification	Penry Road – Major Thoroughfare.
Site Access	All access must be designed and constructed to the City of Greensboro Standards.
Traffic Counts:	None available.
Trip Generation:	N/A.
Sidewalks	Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. There are no sidewalk projects in this area.
Transit in Vicinity	Yes, route 10, E. Market Street.
Traffic Impact Study (TIS)	No, not required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

IMPACT ANALYSIS**Land Use Compatibility**

The proposed **CD-RM 12** (Conditional District – Limited Business) zoning would allow land uses that are incompatible with the general character of the area.

Connections 2025 Comprehensive Plan Policies

The Generalized Future Land Use Map designates this location as **Low Residential & Mixed Use Corporate Park**. The requested **CD-RM 12** zoning district is consistent with this GFLUM designation since over 60% of the area is designated Mixed Use Corporate Park.

Connections 2025 Written Policies

Growth at the Fringe Goal: Provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. Development will increase density and mix land uses at a pedestrian scale with sidewalks, bikeways, and where possible, public transit.

POLICY 4G.1: Promote compact development.

Housing and Neighborhoods Goal: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

POLICY 6A.4: Implement measures to protect neighborhoods from potential negative impacts of development, redevelopment, and/or public projects that are inconsistent with the neighborhood's livability, architectural or historical character, and reinvestment potential.

POLICY 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

Connections 2025 Map Policies

Mixed Use Corporate Park: This designation is intended for large tracts of undeveloped land near the City's fringe that are appropriate for well planned, larger scale business/employment parks with supporting uses such as retail, hotels, and residential. Primary uses such as office, flex office, technology research and development, light manufacturing, distribution, and assembly should be placed in a campus-like or "corporate park" setting with generous, linked open space to maximize value and to promote visual quality and compatibility with the surrounding area. Pedestrian-friendly features such as buildings placed near the street, sidewalks, and trails leading to nearby uses such as retail and housing should be encouraged.

Low Residential (3-5 d.u./acre): This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

Activity Center: Activity Centers are existing or anticipated future concentrations of uses

that function as destinations or hubs of activity for the surrounding area. Typically located in areas of mixed use shown on the Generalized Future Land Use Map, such centers are intended to include features such as a mix of higher intensity uses (housing, retail, office, etc.), compact development patterns, and pedestrian and transit linkages. A one-half mile radius (considered the limit of a comfortable walk) is shown around each activity center except for the Downtown, which functions as an activity center for the entire City. It should be noted that the locations shown on the Generalized Future Land Use Map are conceptual and do not preclude the development of Activity Centers in other locations where they would support the goals and policies of the Comprehensive Plan.

CONFORMITY WITH OTHER PLANS

City Plans - N/A

Other Plans - N/A

Staff/Agency Comments

Planning

The 6.33-acre subject site is located along Penry Road in between Wendover Avenue and Huffine Mill Road. Bordering the subject site to the north is a single-family home, a church and several vacant parcels. To the west are also single-family dwelling units and an undeveloped parcel belonging to GTCC. To the south are single-family dwelling units and to the east is the K-Mart Distribution center.

Whilst properties north of the subject site are still predominantly single-family dwelling units, the immediate vicinity, approximately, 650 feet south of the property is well developed with the giant GTCC campus, the K-Mart Distribution Center and a few other commercial ventures on Wendover Avenue.

It must be mentioned that there are occupied single-family dwelling units located between the subject site and the K-Mart Distribution Center to the south. Staff does have significant concerns about the compatibility of the proposed request with the surrounding neighborhood, yet recognize the future growth of surrounding operations that would benefit from having this type of residential development. Staff is also concerned about the potential precedent for encouraging "leap frog" development that effectively breaks up established single family patterns. Approval of this proposal would create an island of higher density multifamily development in an area that is presently characterized as low density single family. Staff has always discouraged rezoning requests which do not fit the general character of the surrounding neighborhood. Such requests, especially when located in the middle of the block, tend to be disruptive to and inconsistent with the character of a neighborhood.

While the Comprehensive Plan calls for compact development on the City's fringe and the provision of necessary services and facilities in close proximity to neighborhoods, it also speaks to the need to protect neighborhoods from incompatible land uses.

Staff recognizes the fact that the location of the K-Mart Distribution Center and the GTCC Campus calls for some form of higher density residential development in this area but, at present, this request seems premature.

Staff has made a determination that this request is inconsistent with the intent and purpose of the zoning code. Staff is also of the opinion that the request is not compatible with some of the existing development in the surrounding neighborhood.

Water Resources

Open channels that carry public runoff require appropriately sized DMUE. Size is dependent on the flow conveyed in the channel.

Housing and Community Development

Although this site is located near an enclave of predominantly single-family detached dwellings on large lots, the proposal is not inherently incompatible. This site is located within a defined 'Activity Center' as shown on the G-FLUM, and directly abuts a major employment center (K-Mart distribution facility). For the very reason that the nearest existing multifamily dwellings are located approximately 0.5 miles away, a multifamily development in this area would help to expand the range of available housing choices and price levels and promote diversity, both stated goals of Connections 2025 (Housing Goal, Policies 6A.2, and 6C). This proposal would also support the Connections 2025 goal of promoting desirable infill development of vacant land within built up areas, where infrastructure is already in place (Reinvestment Goal, Policy 4C.1). The site is also located in close proximity to a post-secondary educational facility (GTCC campus), and a major planned mixed-use residential development (on Elsielee Road east of K-Mart facility), suggesting that this proposal presents a prime opportunity for further synergy of uses in the area.

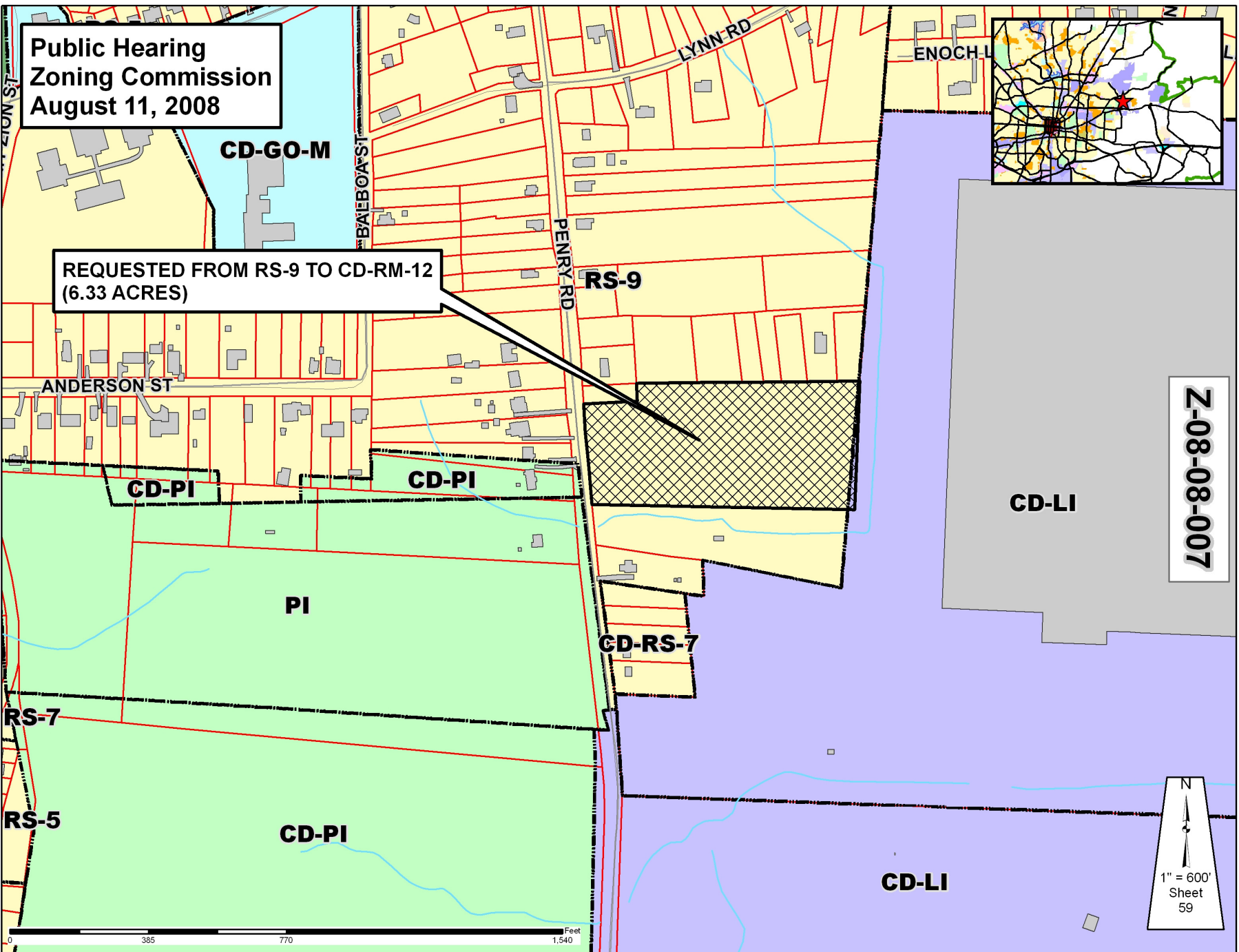
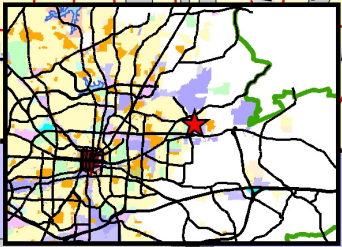
STAFF RECOMMENDATION

PLANNING

Staff recommends **Denial** of the requested **CD-RM-12** (Conditional District – Residential Multi Family) zoning district.

Public Hearing
Zoning Commission
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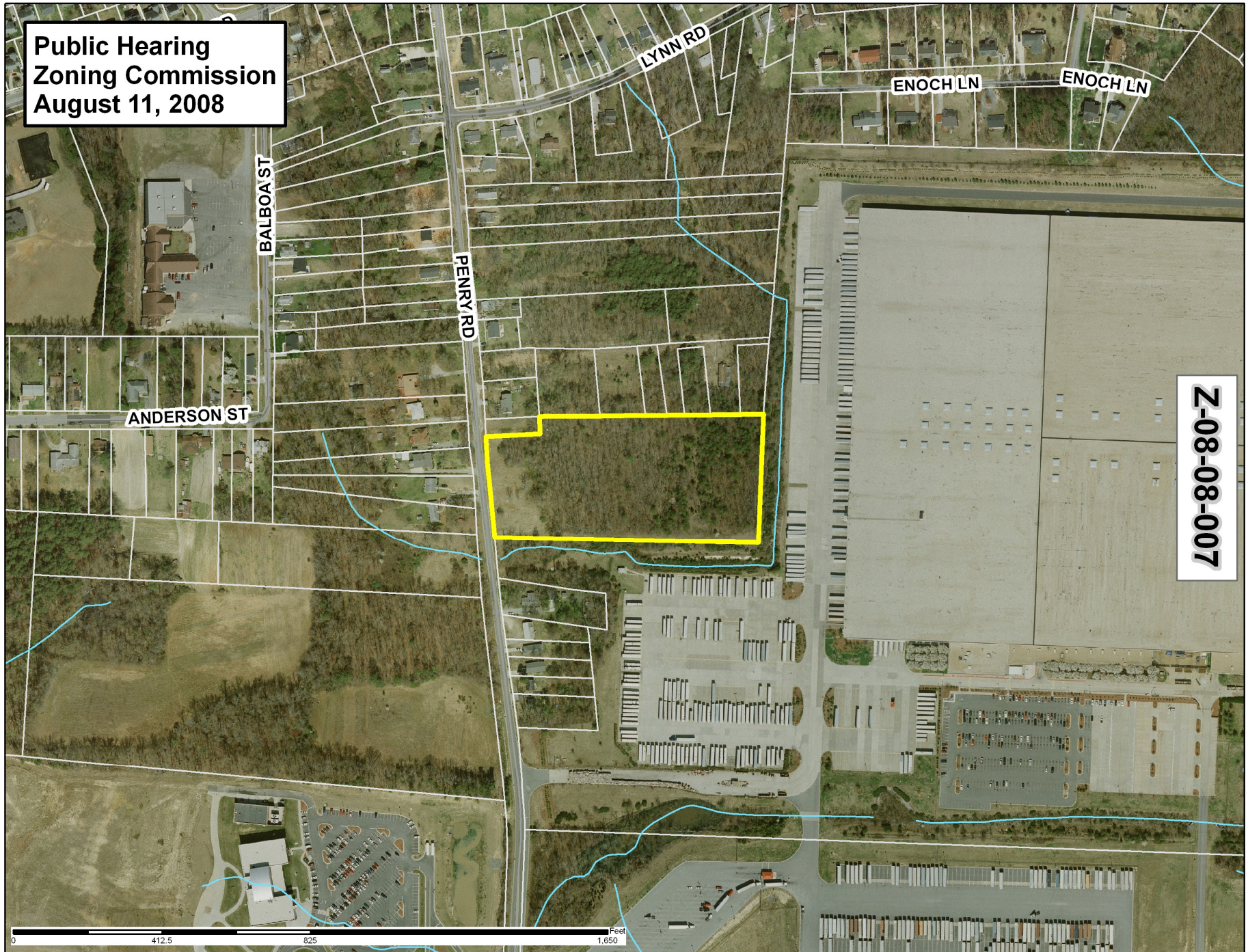
REQUESTED FROM RS-9 TO CD-RM-12
(6.33 ACRES)



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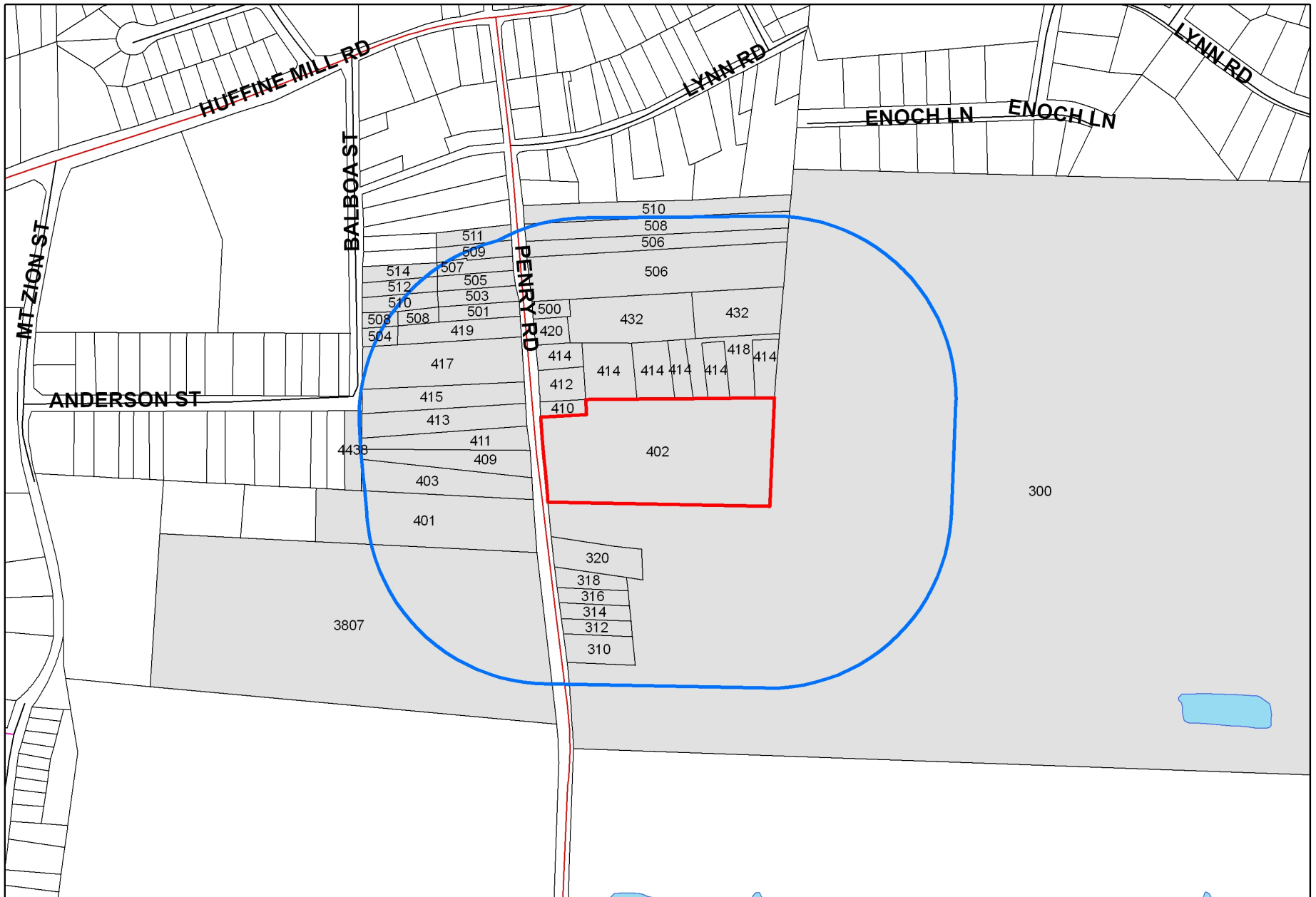
N
1" = 600'
Sheet
59

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600 FEET NOTIFICATION AREA FOR
Z-08-08-007 (August 11, 2008)



1 inch equals 416.666667 feet